



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
PECFA BUREAU  
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TDD #: (608) 264-8777  
<http://www.commerce.state.wi.us>  
<http://www.wisconsin.gov>

**Jim Doyle, Governor**  
**Cory L. Nettles, Secretary**

## Wisconsin Department of Commerce Bureau of PECFA

### Bid Document

#### SECTION 1 - Scope of Work:

The Bureau of PECFA is seeking competitive bids to perform remedial action services on a petroleum release from a regulated petroleum product storage tank system. This bid is through a specified work scope. The site upon which bids are being solicited is:

**Bid Round Number:** 25  
**Comm Number:** 54843-8315-36-A  
**BRRTS Number:** 03-58-000016  
**Site Name:** Dow's Corner Store  
**Site Address:** Rt 7 Box 7336 Hayward WI

**Project Manager:** Chris Saari  
**Project Manager address:** 2501 Golf Course Rd Ashland, WI 54806  
**Project Manager phone:** 715-685-2920  
**Project Manager e-mail address** [christopher.saari@dnr.state.wi.us](mailto:christopher.saari@dnr.state.wi.us)

<b>Bid Announcement Date</b>	<b>4/7/03</b>
<b>Questions or requests for information must be submitted in writing and received by:</b>	<b>4/21/03 4:00 PM</b>
<b>Responses to the questions will be posted (and if requested, sent in writing) by:</b>	<b>5/9/03</b>
<b>Bid End Date and Time:</b>	<b>5/23/03 by Noon</b>

The case file including report(s) and other pertinent information upon which bids are being sought, and the qualified bid response, when determined, are available for inspection at:

**Department of Natural Resources, 2501 Golf Course Rd, Ashland**

Please contact the project manager listed above for an appointment.

Copies of report(s) and other pertinent information may be available for purchase at the location listed below. If pertinent information is not available, please contact the project manager

**The Copy Shop, 310 Stuntz Ave, Ashland WI 54806**

**Phone: 715-682-6567**

**Fax: 715-682-6551**

## **SECTION 2 – Site-Specific Bid Specification Requirements:**

### **A) Project Manager Comments**

#### **1) General Comments:**

The site is an active bait shop/convenience store with retail gasoline sales. Petroleum contamination was discovered here during the removal of USTs and associated pumps and piping in July 1989. An off-site potable well (Well A) was found to be impacted with benzene in 1989 and replaced with a new well (Well E) in May 1990. Petroleum contaminants were also detected in the former on-site potable well (Well C) and a replacement well (Well G) was drilled in August 1992. The Responsible Party entered into a Consent Order with the Department of Natural Resources in February 1993 to conduct the necessary investigation and remedial actions. Early investigative activities included the installation of two soil borings, six monitoring wells and three test trenches. Of the six original monitoring wells, only four remain as a useful part of the monitoring network; the others have either been abandoned or are dry. A seventh monitoring well and three confirmation soil borings were installed in April 2002.

A remediation system consisting of groundwater pump and treatment along with soil vapor extraction (SVE) began operating in February 1995. The pump and treat system recovered groundwater from two wells on-site (Well C and RW-1) and one off-site (Well A); recovered groundwater was treated in separate on-site and off-site buildings and discharged to separate seepage cells. Due to inadequate reporting by the original consultant, it is not possible to determine the exact duration of pump and treat system operation, but it is estimated that the systems ran at least through April 2001. The pump and treat system components are no longer operational. The current owners of the Dow's Corner Store reported petroleum vapors in the store building in late 1996, but vapors have not been noted during the past two years. The SVE system remained in operation until December 2002. The confirmation soil borings mentioned above were installed around the former tank basins in the area of SVE influence and indicate that the SVE system was effective in remediating the contaminated soil in this area.

Geology at the site is described as till consisting of interlayered gray to reddish brown sand, gravelly sand with boulders, and silty loam to approximately 85 feet below ground surface (ft bgs). The silty loam is of low permeability, and can create perched aquifer conditions where present. One such perched zone is located under the southeast corner of the Dow's Corner Store building at a depth of approximately 12 ft bgs, where a small amount of free product was observed in the initial phase of the site investigation. A silty/clayey aquitard exists beneath the upper till to approximately 137 ft bgs, overlying weathered granitic bedrock. Depth to the water table aquifer is approximately 55 ft bgs, and flow is to the southeast. The existing monitoring wells range in depth from 58 to 64 feet deep. Past experience has shown that hollow stem auger methods are inadequate for soil boring and monitoring well installation due to the abundance of cobbles and boulders in the site subsurface. The monitoring wells will most likely need to be installed using air rotary, or other appropriate drilling methods.

Since July 2001, benzene in the range of 0.4-1.4 µg/L has been detected during periodic monitoring of Well E, a likely indication of plume margin expansion.

Prospective bidders should note that the work spelled out below is not intended to bring this case to closure, but rather to complete the site investigation and allow the Department of Natural Resource to determine what other actions might be needed to close this case.

2) The following Environmental Factor(s) were identified in the Site Investigation Report for this site:

- ☒ Documented expansion of the plume margin.
- ☒ Verified contaminant concentrations in a private or public potable well that exceeds the preventive action limit established under ch. 160, Stats..
- ☐ Contamination within bedrock or within 1 meter of bedrock.
- ☐ Petroleum product that is not in the dissolved phase is present with a thickness of .01 feet or more, and verified by more than one sampling event.
- ☐ Documented contamination discharges to a surface water or wetland.

3) Minimum Remedial Requirements:

The following tasks are to be completed within one year of the bid being awarded, at which time the Departments of Natural Resources and Commerce will re-evaluate the status of the case.

An off-site monitoring well nest shall be installed downgradient of monitoring well MW-9, near the intersection of STH 77 and CTH A within the STH 77 right-of-way. The precise location of the nest shall be discussed and agreed upon, with the DNR Project Manager prior to installation. The nest shall include a water table observation well (based on other wells, the well will need to be installed to an approximate depth of 60 ft bgs), and a piezometer installed to an approximate depth of 85 ft bgs. Care shall be taken during sealing and grouting of the monitoring wells to insure that the boreholes do not serve as conduits for vertical migration of contaminants. Field and laboratory analyses of soil samples from the soil borings are not required, but lithologic logging of the borings is required. The locations and elevations of the new wells shall be surveyed to both the local and national geodetic survey data. After installation and development of the new monitoring wells, perform hydraulic conductivity testing on the piezometer and monitoring wells MW-5 and MW-9.

Prior to installation of the monitoring well nest, coordinate with the property owner at the location of the right-of-way/highway easement (off-site property owner). Also, before collecting any samples from Potable Wells A and E, monitoring wells MW-5 and MW-8, as well as the new monitoring wells, contact the off-site property owner at least 24 hours prior to the sampling to coordinate this work. The contact can be made by telephone or e-mail. You may contact the DNR Project Manager or the Responsible Party for the name and telephone number of the off-site property owner. The winning bidder may need to provide the off-site property owner with any additional information (e.g., description of proposed work tasks) requested by the off-site property owner during these contacts.

Due to a detection of vapors in the basement of the Dow's Corner Store in 1996, a current vapor test shall be conducted in the basement at the earliest possible time.

In the event that vapors are detected in the basement, the DNR and Commerce Project Managers shall be contacted immediately. Additional requirements to deal with the vapor issue will be determined at that time.

Conduct periodic monitoring of the following potable wells for volatile organic compounds using EPA Method 524.2: Well E on a quarterly basis; the Nehring well on a semiannual basis; and Well G on an annual basis. Submit both field and trip blanks for analysis when sampling Well E and the Nehring well. Submit potable well results to the DNR within 10 days of receipt as required by s. NR 716.13(9), Wis. Adm. Code.

Conduct quarterly sampling of the entire monitoring well network and Wells A and C, and annual sampling of RW-1, including analyses for petroleum volatile organic compounds plus naphthalene, and natural attenuation parameters. Water table elevations (depth below ground surface (in feet)), shall be measured from all monitoring wells during each sampling event.

Submit two progress reports during the performance of these tasks. A copy of each report shall be submitted to both the DNR and Commerce Project Managers. The initial progress report shall be submitted following receipt of the results from the first quarterly groundwater monitoring event, and shall include soil boring and monitoring well construction documentation from the new monitoring wells, hydraulic conductivity testing results, groundwater analytical results, and updated site and groundwater flow maps meeting the requirements of s. NR 716.15(2)(d)5. and 6., Wis. Adm. Code. The second progress report shall be submitted at the end of the one year period specified above, and shall include groundwater flow maps specific to each quarterly sampling event, and the groundwater analytical results from sampling conducted subsequent to the initial progress report.

## **B) Bidder's Strategy for Remedial Action**

- 1) Identify the remedial strategy for a specified work scope.
- 2) Specifically describe what element of your proposed strategy will address the environmental factors/risk factors listed above. Also describe how, when, and why it will address them.
- 3) Provide a detailed description of the work to be performed. The description shall provide sufficient detail to establish that the proposed strategy will be successful in achieving a specified work scope identified above.
  - a) The detailed description may include, but is not limited to the following:
    - Technologies
    - Estimated years of operation
    - Estimated tons of soil
    - Approximate geometry/depth of excavation
    - Reporting details
    - Estimated years of monitoring
    - Frequency of sampling/number of wells/parameters
- 4) Specifically describe how you will address off-site contamination, if applicable.

- 5) Specifically describe how you will address any direct contact hazards, if applicable.

### **SECTION 3 - Conditions of Bid:**

The successful bidder will be the entity that complies with all provisions of the bid specification and provides the lowest total cost, excluding interest and claim preparation costs, for the site-specific bid specification requirements described in Section 2. PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional control and notices as required under §NR 726 Wis. Admin. Code. In preparing the bid, the bidder must assume compliance with all applicable codes, including but not limited to §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The successful bidder will be determined based upon conformance to and competitiveness under the bid protocol. The first determination will be whether the bidder has complied with all provisions of the bid. These bids will be considered responsive. From the responsive bids, the lowest total cost bid with an approvable approach to a specified work scope will be determined. Claim preparation costs will not be a part of the cost cap established by this bid. These costs (\$500 maximum per claim submittal) are still eligible for PECFA reimbursement and Commerce encourages timely claim submittals at appropriate milestones. Therefore, bidding consultants should not include claim preparation costs in their bid responses.

The successful bid will be available to be viewed at the location identified in Section 1. If two or more bidders tie in the cost comparison, the bid with the lowest consulting cost will be used as the tiebreaker. All bid documents must be signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin Department of Regulation and Licensing.

The Department reserves the right to reject any and all bids that meet any of the following conditions:

- The Department believes the remedial strategy is not appropriate to a specific geologic setting.
- From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

The name of the successful bidder, bid amount, proposed outcome and supporting documentation will be provided to the site claimant along with instructions to inform the PECFA program in writing of their intent to either:

- Use the lowest identified bidder or
- Use another service provider.

In either case, PECFA reimbursement is capped at the dollar amount of the successful bid.

A successful bid does not mean or guarantee that all costs in a resultant claim are eligible, reasonable, necessary or reimbursable under the PECFA program.

If a bidder fails to comply with a bid provision the bid response will be determined to be non-responsive. If the bid response is responsive, but not the lowest cost service provider with an appropriate approach, it will be determined to be “non-successful.” Non-responsive and non-successful bidders will not be individually informed of their failure to achieve compliance with the bid specifications or to be the lowest bidder.

The successful bidder may be required to provide input to, and attend a meeting with the PECFA program and the claimant to explain the bid and the remedial approach.

Appeals, by bidders, of decisions regarding complying bids or costs are not allowed, as they do not constitute claimant reimbursement decisions under the PECFA program.

In compliance with this invitation to bid and subject to all conditions thereof, the signatory agrees to the following:

- If the signatory's bid is determined to be successful, the signatory must, within 15 days of the Department's notification, contact the claimant and confirm that they will provide the remedial services at the cost described within the Bid Response.
- That for a period of 90 days, starting with the Department's notification to the claimant, the signatory will hold firm their commitment to provide the remedial services and prices set forth in the Bid Response.

Failure to abide with the conditions stated above may result in exclusion from future PECFA Public Bidding events.

Questions, answers and interpretations will be considered an amendment of this solicitation. All answers and interpretations shall be in writing from the Program Manager identified in Section 1 of this solicitation. Neither the program nor the Department shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date. After the date by which questions must be submitted by, identified in Section 1, no further questions will be addressed.

A written response will be provided at: <http://www.commerce.state.wi.us/ER/ER-PECFA-SiteBidding.html> (and mailed to all requesters of the bid package who are not able to access the web site, and who therefore request written correspondence from the program contact).

#### **SECTION 4 - Closure Specifications – If Applicable:**

A bid submitted must provide the total cost, excluding interest but including all closure costs, for the remediation up to approval as a closed remedial action status identified below:

**Unrestricted Closure**  
**Closure with a NR 140 exemption**  
**Closure with GIS Registry\***  
**Closure with deed notice\***  
**Closure with deed restriction\***  
**Closure with NR 720.19 soil standards**

**Performance based NR 720.19 closure**  
**Closure with site-specific conditions**  
**Closure under NR 726.07**  
**Closure under Comm 46/NR 746**  
**Mass reduction**

\* **Note:** *PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. PECFA eligible costs may include all closure costs, up to approval as a closed remedial action (i.e. monitoring well abandonment) that are otherwise eligible for reimbursement.*

If the PECFA maximum award for the site/occurrence is not believed to be adequate to remediate the site/occurrence to a closed or no further remedial action status, that belief must be specifically noted in the bid and the remedial effort that will be achieved by the bid amount. For the purpose of the competitive bid the contaminant mass is determined to be: **Not Applicable**. The basis for specifying the progress shall be contaminant mass reduction and be based upon the mass reduction at the following points on the site:

Not Applicable

If the site is reasonably expected to exceed its cap under the PECFA program, bidders may propose mass reduction, the lowest bidder will be determined on the basis of a cost per mass reduction ratio. If some bidders propose mass reduction and others propose costs to bring the site to a closed remedial action or no further action status, selection will be from those bidders proposing a closed or no further action result.

## **SECTION 5 - Instructions to Bidders:**

By submission of a bid, bidder agrees that during the period following issuance of this solicitation and prior to notification of successful bidder, bidders shall not discuss the bid or bid process except with the program contact designated in this solicitation. Bidders shall not discuss or attempt to negotiate with the claimant, other potential bidders or program staff any aspects of the bid without prior approval of the Project Manager specified. Infractions will result in rejection of the violator's bid and may also result in disqualification of the individual to provide bids and a formal complaint being lodged with the Department of Regulation and Licensing.

The bid submitted shall address all the site specific bid specification requirements identified in Section 2. The bid shall support in detail the strategy to achieve the closed or no further remedial action status, or remedial mass reduction goal if applicable. A full remedial action plan is not required as part of the bid submittal. A full remedial action plan may be requested by the program.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Project Manager. If the Project Manager is not able to arrange site access, this fact will not delay the bid process or negate the comparison and potential selection from among the bids that are submitted. All costs associated with a site visit or preparation of a bid will be the responsibility of the bidder.

The Bid Process must conform to the following:

1. If applicable, the closed remedial or no further action status to be achieved must be stated using the options available from the list provided in Section 4.
2. Indicate in the Bid Response a contaminant mass reduction proposal if the PECFA maximum award is not believed to be adequate to remediate the site/occurrence.
3. The Bid Response shall address all the site specific bid specification requirements identified in Section 2 and shall support in sufficient detail and succinctly the remedial strategy.
4. The total cost (in dollars) to accomplish the stated remedial goal, including all fees, reporting cost, pre and post closure costs and costs for establishing restrictions or institutional controls but, excluding claim preparation costs, interest, and investigation costs.
5. The costs specified in #4 shall separately identify consulting (non-commodity) costs.
6. The submittal must include an original and two (2) copies of the Bid Response documents signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. Include the appropriate registration number of the professional license.
7. Bids can not be "faxed" directly to the program. Documents received by fax will not be accepted or considered.
8. Bids, amendments thereto or withdrawal requests must be received by the time advertised for bid opening. It is the bidder's sole responsibility to insure that these documents are received by the contact at the time indicated in this solicitation document.
9. All specifications or descriptive papers provided with the bid submission must include the bidder's telephone number and Commerce number thereon. Identify the name of the consulting firm on the 1<sup>st</sup> Page of the Bid Response.
10. The Commerce Number must be on the outside of the envelope in which the bid is submitted. The Department assumes no responsibility for unmarked or improperly marked envelopes. All envelopes received showing a bid number will be placed directly under locked security until the date and time of opening. Include only one Bid Response (an original and two (2) copies) per envelope.
11. Correction of errors on the bid form: All prices and notations shall be printed in ink, typewritten or computer printed. Errors shall be crossed out, corrections entered and initialed by the person signing the bid. Erasures or use of correction fluid will be cause for rejection. No bid shall be altered or amended after the time specified for the bid end date.
12. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date.
13. Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).



14. From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.
15. If bidders consider the bid response to be proprietary information and exempt from disclosure, each part of the Bid Response must clearly marked *CONFIDENTIAL*. If any part is designated as confidential, there must be attached to that part an explanation of how the information is proprietary. The Department reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the State, Department or its agents for its determination in this regard.
16. The Bid Response must be appropriate to the site geologic setting.
17. Ambiguous bids, which are uncertain as to cost, time or compliance with this solicitation, will be rejected.
18. The Department reserves the right to reject any and all bids, and/or to cancel this solicitation at any time.
19. Each bidder shall fully acquaint itself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this solicitation. The failure or omission of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
20. All amendments to and interpretations of this solicitation shall be in writing from the Project Manager. Neither the Department nor the program shall be legally bound by any amendment or interpretation that is not in writing.
21. This solicitation is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this solicitation to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The solicitation may or may not be changed but a review of such notification will be made prior to award.

**BID RESPONSE**  
**(1<sup>st</sup> Page)**

Department of Commerce PECFA Program

**SITE NAME:** Dow's Corner Store  
**COMMERCE NUMBER:** 54843-8315-36  
**BRRTS NUMBER:** 03-58-000016

Submit Bid To Cathy Voges  
Department of Commerce PECFA Program  
201 W Washington Ave, Madison WI 53703-2790 or  
P.O. Box 8044, Madison WI 53708-8044

Bidder Company: \_\_\_\_\_  
Bidder Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone ( ) - \_\_\_\_\_  
Number: \_\_\_\_\_  
Fax Number: ( ) - \_\_\_\_\_  
e-mail Address: \_\_\_\_\_

Bidder: (check one that applies):

_____ Professional Engineer	_____ License #
_____ Professional Geologist	_____ License #
_____ Hydrologist	_____ License #
_____ Soil Scientist	_____ License #

Seal

Signature: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Total Bid Cost \$ \_\_\_\_\_

Total Consulting Cost (subpart of Total Bid) \$ \_\_\_\_\_

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE

(2<sup>nd</sup> Page)

Department of Commerce PECFA Program

<b>SITE NAME:</b>	<b>Dow's Corner Store</b>
<b>COMMERCE NUMBER:</b>	<b>54843-8315-36</b>
<b>BRRTS NUMBER:</b>	<b>03-58-000016</b>

Consulting Firm phone number (    ) \_\_\_\_-\_\_\_\_

This response must address all of the site-specific specifications identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm telephone number must be included on all additional pages.*